

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 EB-07 L-03 TRSE-00 COME-00 FEA-01
INT-05 CIAE-00 INR-07 NSAE-00 SS-15 /049 W
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FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 4806

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EO 11652: NA
TAGS: BDIS, EINV, ENRG, PE
SUBJECT: GULF: STILL NO ACTION BY COUNCIL OF MINISTERS

REF: LIMA 3760

1. DESPITE EXPECTATIONS GENERATED BY GOP OFFICIALS
MAY 6 THAT DRAFT DECREE LAW ON GULF WOULD BE TAKEN
UP BY COUNCIL OF MINISTERS DURING MAY 11 SESSION,
COUNCIL APPARENTLY DID NOT DISCUSS THE LEGISLATION.
(COUNCIL MET BOTH MAY 10 AND 11).

2. IN RESPONSE TO ECON OFFICER'S QUESTION, FINANCE
MINISTRY LAWYER SERGIO MONTERO MAY 12 EXPLAINED THAT
HIS MINISTRY HAD NOT FORWARDED LEGISLATION TO
COUNCIL SINCE IT HAD NOT RECEIVED CLEARANCE FROM
ENERGY AND MINES MINISTRY. WHEN ECON OFF REMINDED
MONTERO THAT HE HAD EARLIER INFORMED ECON OFF THAT
SUCH CLEARANCE HAD BEEN RECEIVED AND THAT NO
FURTHER IMPEDIMENTS EXISTED, MONTERO CLAIMED THAT
THE MINES MINISTRY HAD INDEED GIVEN ORAL CLEARANCE
BUT THAT FINANCE MINISTRY WAS STILL AWAITING
WRITTEN COMMUNICATION. HE ADDED THAT THIS WRITTEN
CLEARANCE WAS NEEDED SINCE IT WOULD ALSO CONTAIN
THE INFORMATION REGARDING THE DATE AND NUMBER OF
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THE MINISTERIAL RESOLUTION OF THE MINES MINISTRY
THAT WOULD COMPLETE THE BLANKS IN THE DRAFT DECREE
LAW. (SEE PARA 1A IN REFTTEL). EMB OFF EXPRESSED
DISAPPOINTMENT TO MONTERO THAT DRAFT LAW WAS
STILL STALLED AND URGED HIM TO DO WHATEVER POSSIBLE
TO MOVE THE LEGISLATION FORWARD TO COUNCIL.

3. ECON OFF SPOKE MAY 13 WITH ACTING VICE-MINISTER OF ENERGY AND MINES COL. GAMARRA WHO CLAIMED THAT HE HAD PASSED ON REQUIRED INFORMATION MAY 12 TO FINANCE VICE-MINISTER KEIL (WHO RETURNED TO WORK MAY 11), THEREBY COMPLETEING ENERGY AND MINES PART OF THE PROCEDURE.

4. ON MORNING MAY 13 ECONOMIC/COMMERCIAL COUNSELOR TOOK ADVANTAGE OF CONVERSATION WITH VICE-MINISTER KEIL TO REMIND HIM THAT WE HAVE REACHED SECOND ANNIVERSARY OF GULF EXPROPRIATION, AND THAT AGREED-UPON COMPENSATION HAD NOT BEEN PAID. KEIL REPLIED THAT HE HAD "JUST" RECEIVED CLEARANCE FROM MINISTRY OF ENERGY AND MINES, AND THAT IT WAS POSSIBLE MATTER COULD BE SUBMITTED TO COUNCIL OF MINISTERS ON MAY 17. HE SAID THAT HE WOULD COMMUNICATE WITH E/C COUNSELOR THE MOMENT HE COULD CONFIRM THE ABOVE NEWS.

5. AMBASSADOR DID RAISE MATTER WITH COMMERCE MINISTER ARIAS GRAZIANI AT AMCHAM LUNCH FOR OPIC SPONSORED GROUP OF U.S. BUSINESS LEDEERS AT NOON FRIDAY (MAY 13) AND GAVE HIM REMINDER CARD ON MATTER. COMMUN WAS PAINFULLY AWARE OF DELAYS WHICH HE DEPLORED. HE BLAMED MINISTRY OF MINES FOR MOST RECENT DELAY. HE SAID HE HAD JUST TAKEN THE MATTER UP AGAIN WITH PRES. MORALES BERMUDEZ AND BOTH ARE DETERMINED TO GET IMMEDIATE AND FINAL SOLUTION.

6. IN ADDITION, AMBASSADOR WILL RAISE SUBJECT WITH FOREIGN MINISTER DE LA PUENTE AT EARLIEST OPPORTUNITY LIMITED OFFICIAL USE

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TO EMPHASIZE THAT BOTH GULF AND US PATIENCE IS EXHAUSTED AND TO POINT OUT THAT GOP'S INACTION HAS APPEARANCE OF INTENTIONAL RUN-AROUND. AMBASSADOR WILL URGE DE LA PUENTE TO INSURE THAT COUNCIL APPROVE DECREE LAW AT NEXT SESSION.

7. GULF LAWYER MENKE TELEPHONED FROM CORAL GABLES EARLY AM MAY 13 AND ECON OFF ADVISED HIM OF INFORMATION IN PARAS 1 AND 2 ABOVE. (CALL WAS PRIOR TO CONVERSATIONS DESCRIBED PARA 3, 4 AND 5). ECON OFF AGREED TO TELEPHONE MENKE COLLECT TO INFORM HIM OF IMPORTANT DEVELOPMENTS. MENKE SAID HE WOULD CONSULT WITH GULF'S PERUVIAN LAWYER TO SEE WHAT COULD BE DONE FROM THAT QUARTER TO ACHIEVE PROGRESS.
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